

REMARKS

This responds to the Final Office Action dated December 31, 2008.

Claims 1, 16, 35, 40, 41, 56, 67, 70, 121 and 164 are amended, claims 15, 69 and 167 are canceled, and no claims are added; as a result, claims 1-8, 10-14, 16-31, 35, 39-59, 61, 62, 67, 68, 70, 121, 122, 132, 133, 139, 141, 143-145, 147-151, 154-166, 168, 184, 186, 187 and 191 are now pending in this application.

Double Patenting Rejection

Claims 1-7, 15, 17, 35, 42-45, 70 and 151 were provisionally rejected under a non-statutory obviousness-type double patenting rejection, specifically over claims 39-41 of co-pending U.S. Patent Application No. 10/758,973.

Applicant notes the provisional nature of this rejection, and will consider filing a Terminal Disclaimer in compliance with 37 CFR 1.321(b)(iv) should the co-pending application issue prior to issuance of the above claims herein to obviate these rejections.

Claims 1, 13 and 14 were provisionally rejected under a non-statutory obviousness-type double patenting rejection, specifically over claim 13 of co-pending U.S. Patent Application No. 11/036,416.

U.S. Patent Application No. 11/036,416 has been abandoned as indicated in the USPTO PAIR status. Accordingly, this basis for rejection is obviated.

Support for Claim Amendments

Independent claims 1, 35, 56, 67, 70, 121 and 164 have been amended to include the limitation generally reciting "wherein the non-chromate containing composition is capable of curing naturally and, upon curing, is capable of generating a pH between about 2 and about 8 at an interface between the composition and a substrate." Support for this amendment can be found in the specification at, at least, paragraph [0016] which describes "a neutral to slightly acidic generating extender can be used alone or in combination with other components to generate a pH environment of between about 4 to about 8 in a coating composition." Further, paragraph [0016]

recites, "this environment appears to help enhance and optimize transport of the particular inhibitor species being used, from the coating composition to areas of exposed underlying substrate." Paragraph [0017] similarly describes the use of an acidic generating extender or additive "to generate a pH environment of less than about 2 to about 4 in a coating composition."

Paragraphs [0096], [0100] recite, "the coating was sprayed onto different metal substrates and allowed to dry (cure) naturally over time." Similarly, paragraph [0071] describes the use of "air drying."

Examiner Interview

Applicant would like to thank the Examiner for the phone interview conducted on April 22, 2009 in which proposed amendments and arguments were discussed.

§ 103 Rejection of the Claims

Claims 1-8, 10-20, 30, 31, 56-59, 61, 62, 67-69, 139, 141, 143-145, 147-150, 164-168 and 184 were rejected under 35 U.S.C. § 103(a) as being obvious over Shoji et al. (U.S. Patent No. 6,190,780).

The Examiner rejected the claims based on Shoji only. Applicant respectfully traverses the single reference rejection under 35 U.S.C. § 103 since not all of the recited elements of the claims are found in Shoji. Since all the elements of the claim are not found in the reference, Applicant assumes that the Examiner is taking official notice of the missing elements. Applicant respectfully objects to the taking of official notice with a single reference obviousness rejection and, pursuant to M.P.E.P. § 2144.03, Applicant respectfully traverses the assertion of Official Notice and requests that the Examiner cite references in support of this position.

A. Claim 1 Is Non-Obvious Over Shoji

1. Shoji Does Not Disclose All Elements Of Claim 1.

Currently amended independent claim 1 recites, among other things, "one or more organic binders; and solid components comprising; a praseodymium oxide selected from the group consisting of oxides, mixed oxides, solid solution oxides, hydrated oxides, hydroxides, and combinations thereof; one or more substantially insoluble extenders selected from the group

consisting of a neutral to slightly acidic generating extender, an acidic generating extender, and combinations thereof; wherein the solid components comprise about 1 wt% to about 90 wt% of the praseodymium oxide; wherein the non-chromate containing composition is capable of curing naturally and, upon curing, is capable of generating a pH between about 2 and about 8 at an interface between the composition and a substrate". The Shoji reference does not disclose all elements of claim 1.

The Shoji reference teaches a corrosion resistant metal treatment made from oxyacid compounds produced by the high temperature reaction of rare earth compounds and phosphoric acid. The reference does not describe a non-chromate containing composition "capable of curing naturally." The Examiner points to the "third aspect" of Shoji for an example of an embodiment in which heating is not required to cure a film. As stated in earlier responses by the Applicant, the Shoji reference teaches a conversion coating only possible by curing at temperatures upwards of 100-200°C (see Shoji at col. 11, lines 22-23; col. 12, lines 9-11; col. 20, line 56, etc.). Nowhere within the description of the "third aspect" of the Shoji reference are the curing conditions described. It should not be assumed that because the description does not describe curing conditions for the "third aspect", that such description supports curing in another way, such as by curing naturally. In contrast, one skilled in the art would be instructed to cure the coating of the "third aspect" by heating as every other instance of curing described by Shoji requires a temperature range of at least 50-200°C and more preferably, 100-200°C.

Curing naturally, as one skilled in the art would understand it, involves curing in an ambient environment, without the use of external forces (applied temperature, air flow, pressure, etc.) over the course of a reasonable time. Here is one applicable definition:

CURING METHODS

Curing is the final stage of the organic finishing process. Curing has two stages. The first is the removal of the solvent or diluent through evaporation so that the coating is no longer wet to the touch. This is often called drying. The second stage is the actual curing, during which the resins or binders in the coating material are undergoing a chemical reaction. The reaction causes crosslinking between the resin molecules and renders the coating film relatively inert to the environment. In the curing of powder coating materials, because no solvent or diluent is there to be removed, only the second stage occurs.

Regardless of the type of technology used, curing equipment generates thermal energy that is absorbed by the coating and part. The curing stage elevates the work piece and coating to a particular temperature and holds that temperature for a set period of time. The combination of < the set and solvents evaporate to service time> Temperature and exposure times are carefully monitored to ensure proper curing and drying. Extended baking or exposure to heat sources may impair the coating characteristics.

If ambient air conditions permit, curing of low-solvent coatings can be completed in open areas. No heat is generated or supplied to the area, but air circulation may be enhanced by blowers and fans. Open air curing is often done during the warmer summer months.

The type of curing method employed is often dictated by the coatings materials used. Air dried coatings are defined by the EPA as those that cure at room temperatures, while those that cure at temperatures up to 194 F are classified as forced-air dried. Baked coatings require a curing stage at temperatures above 250°F. <http://www.paintcenter.org/ctc/curingmeth.cfm>

Although the “third aspect” of Shoji may under go “drying” in that solvent will evaporate and leave a dry film, this would not “cure” the composition of Shoji and it would be inoperable for use as a corrosion inhibiting compound. Shoji requires the high temperature curing, or “baking”, of an oxyacid compound in order for it to react with the substrate. This is where the corrosion inhibiting species of Shoji is created. It is not capable of curing naturally. Applicant’s claimed invention is capable of curing naturally because the corrosion inhibiting components are generally inert and do not require high temperature curing in order to activate them. As Applicant’s composition dries, the binder undergoes the typical crosslinking reactions, but the actual curing can be done in ambient conditions. This is not possible if following the teachings of Shoji.

In further support of the argument that the Shoji reference does not describe a “non-chromate containing composition is capable of curing naturally and, upon curing, is capable of generating a pH between about 2 and about 8 at an interface between the composition and a substrate”, Applicant points to the Examples of Shoji. In Example 12 (Shoji at col. 49, line 1), a binder is introduced to the film forming method. As stated in the Example, “the films were formed in the same manner as Examples 1-6.” Examples 1-6 require heat treatment of 100-200°C (see Shoji at col. 25, line 47 for one example). Examples 13 and 14 of Shoji also utilize a binder, such as a resin, but also require heat treatment (see Shoji at col. 64, line 14 and col. 69,

line 16). These are the only examples of a binder or resin system utilized in Shoji and all require the same heat curing steps as other embodiments within the description.

Further, the Shoji reference does not describe a composition that, "upon curing, is capable of generating a pH between about 2 and about 8 at an interface between the composition and a substrate." Applicant's claimed composition utilizes a synergy between disclosed components that produces unexpected corrosion inhibiting results. The use of substantially insoluble extenders adds a controlled volume to the composition and maintains the inertness of the extenders. If using soluble components, it is unpredictable at best as to how those components change their corrosion-inhibiting properties once in solution. When the cured composition is exposed to an aqueous environment, the neutral to slightly acidic or acidic extender generates a controllable "pH between about 2 and about 8 at an interface between the composition and a substrate" that triggers and enhances the release and transport of cations from the praseodymium oxide (or rare earth component, generally). The generally inert rare earth compound may slowly dissolve due to the pH at the interface and allow for a controlled release of cations that protect a metal substrate. Therefore, unlike Shoji or other prior art that uses the initial substrate corrosion pH to stimulate the inhibitor, by which time the corrosion currents could become too high and excessive for the inhibitor to release enough in time, the claimed invention utilizes the extender to be able to release an effective amount of inhibitor at all times in a corrosive or moist environment. In this way, when the substrate does undergo corrosion, there is already a supply of inhibitor to slow the corrosion process down. The extra increase in pH due to the initial corrosion then releases just the molar equivalent of inhibitor necessary to the "neutralize" the remaining potential. Without the constant presence of a small amount of inhibitor being released by the extender or rare earth oxide, the corrosion may become too great too quickly for just rare earth oxides to handle. Such synergy and unexpected results are not taught, disclosed or predicted from the Shoji reference. The Shoji reference requires large quantities of phosphoric acid in all embodiments, which, when heated (as taught in Shoji) would not provide a "pH between about 2 and about 8 at an interface between the composition and a substrate" (see Example 1 of Shoji and subsequent Examples).

2. The Claimed Combination Is Non-Obvious Over Shoji.

a. The Invention As a Whole.

Because the Examiner only cited a single reference for an obviousness rejection, it is admitted that not all elements of the claimed invention exist in the prior art. In addition to Applicant's argument that further elements are not present in Shoji, the Examiner is not considering the invention as a whole. In determining obviousness, "the inquiry is not whether each element existed in the prior art, but whether the prior art made obvious the invention as a whole for which patentability is claimed." *Hartness International, Inc. v. Simplimatic Engineering Co.*, 819 F.2d 1100, 2 USPQ2d 1826 (Fed.Cir. 1987). The Examiner is picking and choosing portions of different embodiments of Shoji to cite against the claimed invention and not considering the claimed invention as a whole. The combination of components and in some cases, amounts of components, creates a synergy of corrosion resistance performance as described in Applicant's invention and not in the prior art. Applicant respectfully requests that the presently claimed invention be considered as a whole.

As stated by the Examiner, "while Shoji et al does not exemplify a coating composition containing the presently claimed combinations of ingredients in specific amounts, given that Shoji et al teaches a corrosion-resistant coating composition which does or can contain the presently claimed ingredients either as a binder or as an additive to aid in corrosion resistance with guidance to determine suitable amounts and solubility parameters, it would have been obvious to one of ordinary skill in the art to utilize a corrosion-resistance composition containing an appropriate binder and various anticorrosion additives in suitable amounts, including those presently claimed, absent any showing of unexpected or surprising results regarding the presently claimed combination of ingredients" (see Office Action mailed October 19, 2006, page 6-7). The Examiner claims that Shoji includes all aspects of the invention and it is only a matter of one skilled in the art figuring out the parameters in which to use each component. Despite Shoji missing elements of the claimed invention, as discussed above, some elements present in Shoji have explicit restrictions on the use of such component. Such restrictions, if followed by one skilled in the art, would make the claimed invention inoperable or performance properties unattainable. One example is in column 9, lines 55-63, in which the amount of rare earth additives (such as sulfates or oxides) are limited to between 10-fold and 50-fold molar ratio as compared to the rare earth element contained in the oxyacid or else the film formability is lowered. Shoji's requirements of oxyacid presence (i.e. phosphoric acid) and limited rare earth

element addition would lead one skilled in the art away from the combination and amounts of components utilized in the claimed invention. For this reason, it is necessary that the Examiner provide the prior art citations of the missing elements and remove the reliance on Official Notice that it would have been obvious for one skilled in the art to come up with the specific combination and amounts of such components.

b. The Invention is not "Obvious To Try". As stated in *KSR International Co. v. Teleflex Inc.*, 127 S.Ct. 1727, 1742, choosing from a finite number of identified predictable solutions, with a reasonable expectation of success, or an "obvious to try" rationale may support a prima facie case of obviousness. However, in this case, the selection of Applicants' claimed composition is not "obvious to try."

The size of the Genus described in Shoji is extremely large. Col. 7, lines 20-43 describes a myriad of compounds, such as group IVA elements with oxyacid anions such as phosphate anion, tungstate anion, molybdate anion and vanadate anion, and hydrogen oxyacid compounds include those compounds in which hydrogen is present in a part of the cations. Also, the rare earth elements are the 17 elements Sc, Y, La, Ce, Pr, Nd, Pm, Sm, Eu, Gd, Tb, Dy, Ho, Er, Tm, Yb and Lu. The group IVA elements are Ti, Zr and Hf. Further, Shoji teaches the coating solution contain as added components, oxides, hydroxides, halides, carbonates, sulfates, nitrates and organic acid compounds of rare earth elements, particularly cerium. These compounds, especially tetravalent cerium ions and cerium compounds, are said to have an effect of reinforcing the inhibiting effect on the cathodic reaction. Organic-based corrosion inhibitors which may be used include compounds possessing, in the molecular structure, with a functional group (=O, -NH₂, =NH, =N-, =S, -OH, etc.) required to form metal complex bonds and a functional group (-OH, =NH, -SH, -CHO, -COOOH, etc.) (See, Col. 9, line 49 through Col. 10, line 27). See also, col. 11, lines 4-19, which teaches the addition of SiO₂, Cr₂O₃, Cr(OH)₃, Al₂O₃, and a laundry list of 21 other compounds. Accordingly, there are a great number of compounds disclosed in Shoji.

The selection of Applicants claimed composition of one or more organic binders, and solid components comprising a praseodymium oxide selected from the group consisting of oxides, mixed oxides, solid solution oxides, hydrated oxides, hydroxides, and combinations thereof, and one or more substantially insoluble extenders would not be "obvious to try" based

on this disclosure. Contrary to the situation in *KSR*, there is not a finite, small number of options that would convince an ordinarily skilled artisan of obviousness, but a great number of compounds to select from.

Further, looking at the express teachings of Shoji, Shoji describes a conversion coating solution and *lists* a variety of rare earth elements (Col. 7). The rare earth element compounds taught in Shoji are taught as oxyacid compounds. This disclosure does not constitute a teaching of Applicant's invention, which claims "oxides, mixed oxides, solid solution oxides, hydrated oxides, hydroxides, and combinations thereof".

c. Teachings of Preferred Species. Preferably, Shoji teaches that the preferred compounds is lanthanum for the rare earth element (Col. 19), and the 104 examples prepared and shown in Tables 1-4 do show Applicants claimed rare earth element, Praseodymium. And Applicants have not found that Shoji discloses this in any other of the disclosed examples.

d. Teachings of Utility. Shoji discloses the utility of the compositions taught therein as a conversion coating. As is known to those of skill in the art, conversion coatings rely on a chemical conversion reaction, typically using heat, to cure the composition, in which such chemical reaction is required in order to create a corrosion inhibiting species. In the case of Shoji, all examples require the heating of a phosphate-based oxyacid compound. This is required in Shoji, because corrosion inhibiting performance would not occur if it weren't for the reaction of the oxyacid and metal substrate.

e. Predictability of the Technology. Based on Shoji, it is not obvious to try Applicant's claimed composition. The compositions disclosed in Shoji are far removed from Applicant's claimed composition, and the laundry list of compounds contained in the disclosure teaches hundreds of combinations. The combination of these many elements is unpredictable, and one of skill in the art would not be able to follow any routine prior art method with a reasonable expectation of success.

f. Totality of Teachings. Shoji describes many attempts to find a suitable coating and a myriad of ingredients. There is no finite number of combinations, rendering the invention obvious to try. Further, Shoji teaches other chemical species not required for the performance of

Applicant's coating. Applicant claims a combination that is not taught or suggested by the prior art. Accordingly, the claimed invention is non-obvious.

3. Secondary Considerations Of The Claimed Combination.

The Applicant does not concede that a prima facie case has been established. However, inasmuch as such a prima facie case of obviousness has been established, it is rebutted by the strong showing of secondary considerations consisting of: 1) the experimental results, shown in the present application, demonstrating the superior results of the claimed combination, 2) The Declaration of Richard Albers, demonstrating the long felt need and failure of others to make a corrosion resistant primer that is chromate free; and 3) the Declaration of Charles Ray, and accompanying Exhibits A-H, showing the long felt need and commercial success of the claimed invention. The Declarations do corroborate the teachings of the claimed invention. The Declarations describe preferred embodiments and their success. Such embodiments do correlate to the claimed invention in that they are within the scope of the claim invention and Applicant's specification experimentally shows the successful results of other embodiments within the scope of the claims. Applicant respectfully requests that the Examiner consider the Declarations and Exhibits as support for the non-obviousness of the claimed invention.

Lastly, as provided in earlier responses, Applicant has provided evidence of surprising and unexpected results. Table 3 in the specification specifically describes the use of dozens of rare earth compounds and neutral to slightly acid extenders. The results demonstrate that such a combination provides a functioning corrosion inhibiting composition without the use of a conversion coating. The preferred embodiments using praseodymium oxides and sulfates show even better results. So, it is unexpected that non-chromate containing, non-conversion coatings can provide successful corrosion inhibiting properties, as this is not taught in the prior art. In addition, products falling within the scope of the claimed invention are commercially successful and fulfilled a long-felt need in the industry.

Claim 56

Currently amended independent claim 56 describes, among other things, "one or more organic binders; and solid components comprising: a praseodymium (III/IV) mixed oxide; one or more substantially insoluble extenders selected from the group consisting of a neutral to slightly

acidic generating extender, an acidic generating extender, and combinations thereof; wherein the solid components comprise about 1wt% to about 90 wt% of the praseodymium (III/IV) mixed oxide; wherein the non-chromate containing composition is capable of curing naturally and, upon curing, is capable of generating a pH between about 2 and about 8 at an interface between the composition and a substrate". The Shoji reference does not disclose all elements of claim 56.

The arguments discussed in regard to claim 1 are herein incorporated in their entirety.

Claim 67

Currently amended independent claim 67 describes, among other things, "one or more binders; and solid components comprising: one or more rare earth element oxides selected from the group consisting of oxides, mixed oxides, solid solution oxides, hydrated oxides and hydroxides; and a praseodymium oxide selected from the group consisting of oxides, mixed oxides, solid solution oxides, hydrated oxides, hydroxides, and combinations thereof; one or more substantially insoluble extenders selected from the group consisting of a neutral to slightly acidic generating extender, an acidic generating extender, and combinations thereof; wherein the praseodymium oxide is present in an amount of about 1 wt% to about 90 wt% of the solid components; wherein the non-chromate containing composition is capable of curing naturally and, upon curing, is capable of generating a pH between about 2 and about 8 at an interface between the composition and a substrate". The Shoji reference does not disclose all elements of claim 67.

The arguments discussed in regard to claim 1 are herein incorporated in their entirety.

Claim 164

Currently amended independent claim 164 describes, among other things, "preparing a paint formulation comprised of an organic binder; and adding an effective corrosion-inhibiting amount of a solid component comprising: a praseodymium compound selected from the group consisting of oxides, mixed oxides, solid solution oxides, hydrated oxides, hydroxides, and combinations thereof to the paint formulation to produce a coating composition one or more substantially insoluble extenders selected from the group consisting of a neutral to slightly acidic generating extender, an acidic generating extender, and combinations thereof; wherein the

praseodymium compound comprises about 1 wt% to about 90 wt% of the solid components; wherein the non-chromate containing composition is capable of curing naturally and, upon curing, is capable of generating a pH between about 2 and about 8 at an interface between the composition and a substrate". The Shoji reference does not disclose all elements of claim 164.

The arguments discussed in regard to claim 1 are herein incorporated in their entirety.

Because claims 2-8, 10-20, 30, 31, 58-59, 61, 62, 68-69, 139, 141, 143-145, 147-150, 165-168 and 184 depend from independent claims 1, 56, 67 and 164, they are believed to be in similarly allowable condition. Applicant respectfully requests removal of the obviousness rejection.

Claims 21 and 22 were rejected under 35 U.S.C. § 103(a) as being obvious over Shoji et al. (U.S. Patent No. 6,190,780) in view of Oakes (U.S. Patent No. 4,370,256).

Claims 21 and 22 depend from claim 1. As discussed above, the Shoji reference does not contain all the elements of claim 1. Neither the Oakes reference nor the reasoning in the Office Action remedies this deficiency. Claims 21 and 22 are therefore, believed to be in similarly allowable condition.

Claims 35, 39-52, 54, 55, 70, 121, 132, 133, 151, 160, 161, 186 and 187 were rejected under 35 U.S.C. § 103(a) as being obvious over Shoji et al. (U.S. Patent No. 6,190,780) in view of Reuter et al. (U.S. Patent Application Publication No. 2003/0082368).

Claim 35

Currently amended claim 35 recites, among other things, "one or more binders; and solid components comprising: one or more rare earth compounds; and one or more substantially insoluble extenders selected from the group consisting of calcium sulfate, strontium sulfate, and combinations thereof; wherein the non-chromate containing composition is capable of curing naturally and, upon curing, is capable of generating a pH between about 2 and about 8 at an interface between the composition and a substrate." The combination of the Shoji reference and the Reuter reference does not disclose all the elements of claim 35.

The deficiencies of Shoji, as discussed above in regard to claim 1, are herein incorporated by reference. As the Reuter reference does not remedy such deficiencies, claim 35 is believed to be in allowable condition.

Claim 70

Currently amended claim 70 recites, among other things, “one or more binders; and solid components comprising: one or more rare earth element oxides selected from the group consisting of oxides, mixed oxides, solid solution oxides, hydrated oxides, and hydroxides; and one or more extenders selected from the group consisting of calcium sulfate, strontium sulfate, and combinations thereof; wherein the non-chromate containing composition is capable of curing naturally and, upon curing, is capable of generating a pH between about 2 and about 8 at an interface between the composition and a substrate.” The combination of the Shoji reference and the Reuter reference does not disclose all the elements of claim 70.

The deficiencies of Shoji, as discussed above in regard to claim 1, are herein incorporated by reference. As the Reuter reference does not remedy such deficiencies, claim 70 is believed to be in allowable condition.

Claim 121

Currently amended claim 121 recites, among other things, “preparing a paint formulation; and adding an effective corrosion-inhibiting amount of a rare earth compound and one or more extenders selected from the group consisting of calcium sulfate, strontium sulfate, and combinations thereof to the paint formulation to produce a non-chromate containing coating composition; wherein the non-chromate containing composition is capable of curing naturally and, upon curing, is capable of generating a pH between about 2 and about 8 at an interface between the composition and a substrate”. The combination of the Shoji reference and the Reuter reference does not disclose all the elements of claim 121.

The deficiencies of Shoji, as discussed above in regard to claim 1, are herein incorporated by reference. As the Reuter reference does not remedy such deficiencies, claim 121 is believed to be in allowable condition.

Because claims 39-52, 54, 55, 132, 133, 151, 160, 161, 186 and 187 depend from independent claims 35, 70 and 121, they are believed to be in similarly allowable condition. Applicant respectfully requests removal of the obviousness rejection.

Claim 53 was rejected under 35 U.S.C. § 103(a) as being obvious over Shoji et al. (U.S. Patent No. 6,190,780) in view of Reuter et al. (U.S. Patent Application Publication No. 2003/0082368) and further in view of Tucker (U.S. Patent No. 3,837,894).

Claim 53 depends from claim 35. As discussed above the combination of the Shoji reference and Reuter reference does not contain all the elements of claim 35. Neither the Tucker reference nor the reasoning in the Office Action remedies this deficiency. Claim 53 is therefore, believed to be in similarly allowable condition.

Claim 191 was rejected under 35 U.S.C. § 103(a) as being obvious over Shoji et al. (U.S. Patent No. 6,190,780) in view of Reuter et al. (U.S. Patent Application Publication No. 2003/0082368) and further in view of Koefod (U.S. Patent No. 5,531,931).

Claim 191 depends from claim 121. As discussed above the combination of the Shoji reference and Reuter reference does not contain all the elements of claim 35. Neither the Koefod reference nor the reasoning in the Office Action remedies this deficiency. Therefore, Claim 191 is believed to be in similarly allowable condition.

CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's representative at (612) 373-6920 to facilitate prosecution of this application.

If necessary, please charge any additional fees or deficiencies, or credit any overpayments to Deposit Account No. 19-0743.

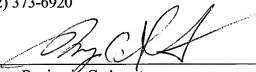
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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on April 30, 2009.

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